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Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STACEY MASAKO HAYWARD,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Civil No. 2:25-cv-01606-DC-DMC

STIPULATION AND ORDER FOR
EXTENSION OF TIME (SECOND REQUEST)

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, with this Court's approval, to extend by 21 days, from November 5, 2025, to November 26, 2025, the deadline for the Commissioner to file his Cross-Motion for Summary Judgment. Plaintiff's optional reply shall be due within 14 days after the filing of the Commissioner's Cross-Motion.

This is the Commissioner's second request for an extension of time for his Cross-Motion. Plaintiff does not oppose the requested extension.

The undersigned counsel for the Commissioner respectfully submits that good cause exists for this second extension as follows:

- At the end of the day on September 30, 2025, the appropriations that have been funding the Department of Justice expired and appropriations to the Department lapsed. The same is true for most Executive agencies, including the Social Security Administration (SSA). It is not clear when funding will be restored by Congress. In the absence of either a Fiscal Year 2026 appropriation or a continuing resolution to continue the ongoing operations of SSA, no further financial obligations may be incurred by SSA, except for that work which, as defined by law, is excepted from the limitations of Anti-Deficiency Act. *See* 31 U.S.C. §§ 1341–1342.
- Effective Monday, October 20, 2025, SSA has determined that the undersigned counsel for the Commissioner and colleagues within her office may perform work on Social Security cases arising under 42 U.S.C. § 405(g) during the current lapse in appropriations as excepted work.
- Although counsel for the Commissioner is permitted to work on Social Security cases arising under 42 U.S.C. § 405(g) as of October 20, 2025, the undersigned has many pressing deadlines resulting from the lapse in funding and resulting backlog of cases requiring briefing.
- Accordingly, despite diligent efforts to manage her workload, counsel for the Commissioner needs a second extension in the instant case to review the substantial administrative record, consider the issues that Plaintiff has raised, confer with her client as necessary, and prepare the Commissioner’s Cross-Motion.

For the foregoing reasons, counsel for the Commissioner respectfully requests an extension up to and including November 26, 2025 for the Commissioner’s Cross-Motion, with all other case deadlines extended accordingly.

Respectfully submitted,

Dated: October 30, 2025

LAW OFFICES OF FRANCESCO BENAVIDES

By: /s/ Francesco Benavides*

FRANCESCO BENAVIDES

Attorneys for Plaintiff

[*As authorized by e-mail on Oct. 30, 2025]

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2 Dated: October 31, 2025

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5 By: /s/ Margaret Branick-Abilla
6 MARGARET BRANICK-ABILLA
7 Special Assistant United States Attorney
8 Attorneys for Defendant

9 **ORDER**

10 Pursuant to the parties' stipulation, IT IS ORDERED that the Commissioner's Cross-
11 Motion for Summary Judgment shall be due on November 26, 2025, and Plaintiff's optional
12 reply shall be due within 14 days after the filing of the Commissioner's Cross-Motion.
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14 Dated: October 31, 2025



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16 DENNIS M. COTA
17 UNITED STATES MAGISTRATE JUDGE
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